UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD REGION 32

IN THE MATTER OF:	
BUD ANTLE, INC.	
	CASE 32-CA-078166
AND	
TEAMSTERS LOCAL UNION NO. 890,	
INTERNATIONAL BROTHERHOOD OF	

RESPONDENT'S EXCEPTIONS TO THE ADMINISTRATIVE LAW JUDGE'S DECISION

BUD ANTLE, INC. ("Employer"), by and through its undersigned attorney, pursuant to Section 102.46 of the Board's Rules and Regulations, takes exception to the Decision of the Administrative Law Judge, as enumerated below. The specific grounds and authorities of the exceptions are set forth in the accompanying brief.

- 1. Employer excepts to the Administrative Law Judge's finding that "Thus, I find that the allegations in paragraphs 8, 9 and 10 are closely related to those in the underlying charge and the allegations paragraph 7 are identical to the allegations in the charge. Thus, I find jurisdiction to consider the complaint allegations." (Decision page 4, Lines 24-2)
- 2. Employer excepts to the Administrative Law Judge's finding that "I find there is a probability that the information sought is relevant and necessary to the Union's collective-bargaining duties." (Decision page 11, Liens 15-16)
- 3. Employer excepts to the Administrative Law Judge's finding that "The documents requested in the Union's grievance of February 17 are relevant to the issue of whether Heredia and other applicants were not being utilized in violation of the CBA and the LOU." (Decision page 11, Lines 20-22)
- 4. Employer excepts to the Administrative Law Judge's finding that "However, reading the entire grievance, it is clear that utilization of farm labor contractor crews rather than hiring additional celery harvest employees is the basis for the grievance." (Decision page 11, Lines 24-26)
 - 5. Employer excepts to the Administrative Law Judge's finding that "The March 12

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grievance was filed and documents requested were directly related to whether contractors were performing bargaining unit work (Decision page 11, Line 30-32)

- 6. Employer excepts to the Administrative Law Judge's finding that "The March 26 grievance was filed when Respondent refused to hear DeAnda, a lettuce cutter, and instead hired additional farm labor contractor crews." (Decision page 11, Lines 32, 33)
- 7. Employer excepts to the Administrative Law Judge's finding that "The information requested relates to the (March 29) grievance." (Decision page 11, Line 39)
- 8. Employer excepts to the Administrative Law Judge's finding that "Thus, based on the record as a whole, it has been established that the Union needs the information to determine if Respondent has committed a violation of the CBA or the LOU and the information requested is relevant." (Decision page 12, Lines 10-12)
- 9. Employer excepts to the Administrative Law Judge's finding that ". . . I find no confidential or privilege warranted refusal to furnish the information." (Decision page 12, Line 40)
- 10. Employer excepts to the Administrative Law Judge's finding conclusion that "By failing and refusing to furnish the information set forth in complaint paragraphs 7, 8, 9, and 10, Respondent has engaged in unfair labor practice within the meaning of Section 8(a)(1) and (5) of the Act. (Decision page 12, Lines 44-46)
- 11. Employer excepts to the Administrative Law Judge's remedy that ". . . it shall be ordered to produce the information . . ." (Decision page 13, Lines 1, 2)

Dated this 13th day of February, 2013

Respectfully Submitted,

/s/ James F. Hendricks, Jr.
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CERTIFICATE OF SERVICE

I certify that on this 13th day of February, 2012, Respondent's Exception to the Administrative Law Judge's Decision was filed electronically through the NLRB's website, and a copy was served on the following individuals, via e-mail:

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